

Amend HB 1783 (house committee printing) as follows:

(1) On page 1, line 23, strike "13 [~~ten~~]" and substitute "10 [~~ten~~]".

(2) Strike SECTION 5 of the bill (page 3, lines 18-22) and substitute the following appropriately numbered SECTION:

SECTION _____. Chapter 54, Family Code, is amended by adding Section 54.021 to read as follows:

Sec. 54.021. WAIVER OF JURISDICTION FOR CHILD UNDER 13 YEARS OF AGE. (a) The juvenile court shall, before holding an adjudication hearing, hold a hearing without a jury to determine whether to waive its exclusive original jurisdiction over a child under 13 years of age.

(b) At a hearing under this section, the juvenile court shall consider whether:

(1) normal interventions by the child's parent, guardian, family, or school, or by child protective services or county family and youth services, will be sufficient to ensure the safety of the public and of the child;

(2) intervention by the court is warranted; and

(3) it is in the best interest of the child for the court to intervene.

(c) If the court elects not to waive its jurisdiction over a child in a hearing under this section, the court shall state the reasons for its decision in the order.

(d) If the court elects to waive its jurisdiction over a child in a hearing under this section, the court shall dismiss all charges against the child. The court shall refer the child to the person who conducted the preliminary investigation of the child under Section 53.01 for a referral for services described by Subsection (b)(1), as appropriate.

(3) On page 3, line 25, strike "13".

(4) On page 3, line 26, strike "~~[(A) 10]~~" and substitute "~~[(A)]~~ 10".